

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

BRYANT STEWARD,
Plaintiff,

No. C 08-5615 MHP (pr)

ORDER OF DISMISSAL

v.

Correctional Officers
HOLBERT and HALE,
Defendants.

Bryant Steward, an inmate at Pelican Bay State Prison, filed this pro se civil rights action under 42 U.S.C. § 1983. The court dismissed the complaint with leave to amend because it failed to state a claim upon which relief could be granted against any defendant. The court explained the deficiencies in the complaint, ordered Steward to file an amended complaint no later than June 26, 2009, and warned that the failure to file the amended complaint by the deadline would result in the dismissal of the action. Steward failed to file an amended complaint and the deadline by which to do so has passed. This action is dismissed for failure to state a claim upon which relief may be granted against a defendant and failure to comply with the court's order. The clerk shall close the file.

IT IS SO ORDERED.

DATED: September 9, 2009


Marilyn Hall Patel
United States District Judge